

CITY OF KINGMAN
REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
Council Chambers
310 N. 4th Street
Kingman, Arizona

6:00 P.M.

Minutes

Tuesday April 14, 2015

Members Present:	Staff Present:	Visitors Signing In:
Allen Mossberg, Commission Chair	Gary Jeppson, Development Services Director	See attached list
Mike Blair, Vice-Chair	Rich Ruggles, Principal Planner	
Tyler Angle, Commission Member	Sylvia Shaffer, Planner	
Gene Kirkham, Commission Member	Sandi Fellows, Recording Secretary	
Vickie Kress, Commission Member		
Dustin Lewis, Commission Member		
Mark Wimpee, Jr. Commission Member		
Council Liaison Present:		
Mark Abram		

REGULAR MEETING MINUTES

CALL TO ORDER & ROLL CALL

Chair Mossberg called the meeting to order at 6:00 P.M. and the Recording Secretary called the roll. All Commission Members were present with the exception of Commissioners Lewis who arrived at 6:03 P.M. The Pledge of Allegiance was led by Commissioner Kirkham and recited in unison.

1. APPROVAL OF MINUTES: The Regular Meeting Minutes of March 10, 2015.

Vice-Chair Blair made a MOTION to APPROVE the Regular Meeting Minutes of March 10, 2015 as written. The MOTION was SECONDED by Commissioner Angle and the MOTION was APPROVED by a vote of (6-0) to the affirmative.

2. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC:

Kingman Resident Harley Pettit addressed the Commission stating that there is ADA access at the front door of the City Complex. Mr. Pettit suggested keeping the front door open during meetings since it has both a ramp and fewer steps instead of the side door next to the Council Chambers with the stairs.

3. PAST COUNCIL ACTION:

- A. **REZONING CASE RZ15-001:** A request from ReMax Prestige Properties, applicant, and Leora Hammer, property owner, for a rezoning of certain property from R-1-6: Residential,

Single Family, 6,000 square foot lot minimum to C-1: Commercial, Neighborhood Convenience. The request is to allow the use of the property for a commercial office. The subject property is 0.24 acres and is located at 503 Spring Street. The property is further described as Kingman Townsite Addition, Block 20, Lot 1 and West Half of Lot 2.

Development Services Director Gary Jeppson reported that the City Council approved the request to rezone property at 503 Spring Street.

- B. **ZONING ORDINANCE TEXT AMENDMENT CASE ZO15-001:** A city-initiated request to consider a text amendment to Section 10.000: Landscaping of the City of Kingman Zoning Ordinance. The proposed text change would revise this section by repealing the appeal process, repealing the 2:1 credit for landscaping in the right-of-way, adding an updated recommended plant list, adding parking lot landscaping standards, requiring 10% of gross site to be landscaped for new development, requiring 5% of gross site to be landscaped for remodels and expansions of existing development, clarifying plan submittal requirements and irrigation standards, permitting some artificial turf as a landscape element, changing the time frame for replacement of dead plant material from 90 days to 45 days, and providing an exemption from the landscaping requirements for remodeled properties on sites that are over 95% developed.

Gary Jeppson reported that City Council did not approve the request to amend text to the Zoning Ordinance regarding the Landscaping Ordinance.

1. OLD BUSINESS:

There was no old business to discuss.

Chair Mossberg stated that New Business Item #2, Subdivision Case SB15-001, would be heard before Major General Plan Amendment Case GP15-001.

2. NEW BUSINESS:

- A. **SUBDIVISION CASE SB15-001:** A request from Mohave Engineering Associates, Inc., applicant/engineer, and Airway Plaza Association, LLC, property owner, for approval of a **Preliminary Plat for Airway Plaza, Tract 1984**. The proposal would create a commercial condominium consisting of eight units within an existing commercial building located at 2110-2180 Airway Avenue. The subject property is zoned C-3: Commercial, Service Business and is 3.90 acres. The property is located at the southeast corner of Airway Avenue and Burbank Street. The property is further described as a the North ½, NW ¼, of Government Lot 2, Section 7, T.21N., R.16W. of the G&SRM, Mohave County, Arizona.

Principal Planner Rich Ruggles addressed that Commission stating that this was a public hearing regarding the approval of a Preliminary Plat for Airway Plaza, Tract 1984. The property owner has requested a conversion of an existing commercial building to commercial condominiums. The preliminary plat proposes to subdivide eight business suites in an

existing commercial building located at 2110 to 2180 Airway Avenue into eight separate condominium units, which can be sold individually. Each unit is depicted on the plat as 7,400 square feet in size and is approximately 56 to 64 feet wide and 130 feet long. The exterior areas of the building, including the landscape areas and the existing 220-space parking lot, will be common areas. The subject property, as well as surrounding property are zoned C-3, with the exception of the Kingman Academy of Learning to the south, which is zoned R-1-40.

The site has been posted and surrounding property owners have been notified. Staff has not received any public comment for or against the proposal. City Fire and Building Departments have no objection to the processing of the preliminary plat and have incorporated comments and additional inspection comments into the recommended conditions. The City Surveyor noted that the benchmark shown is over two miles away from the subject property; if any easements exist for sewer and water, or are to be given, it should be addressed and shown; boundary markers for the property should be identified and referenced to recorded surveys. City Engineering has comments that have been incorporated into the report and conditions have been recommended. Mohave County Flood Control has no objection to the proposal. UniSource electric and gas commented that their existing facilities will need to be placed within a public utility easement or within common areas which must then be designated as public utility easements as the existing facilities are not contained within the existing 20-foot wide PUE south of the building.

As this development is proposed to be a subdivision of airspace, each unit will be bounded and contained within the interior finished surfaces of the perimeter walls, floors and ceilings, or a subdivision of air space. The property owner's association would be responsible for everything else that would be held common such as the parking lot, landscaping, and utilities not in the units. The entire building has a fire sprinkler system. As each unit is completed the Fire Code will require each unit to have a fire alarm for duct or smoke detection along with an audio/visual device to indicate water flow from the sprinkler system.

Staff is recommending the approval of the preliminary plat for Airway Plaza, Tract 1984 with the following conditions:

1. Driveways and sidewalk ramps shall be revised to meet current ADA standards where any deficiencies occur.
2. The final plat shall address the City Surveyor's comments regarding the benchmark for this subdivision as well as the boundary markers.
3. Existing and any proposed easements shall be clearly identified on the final plat.
4. UniSource facilities shall be located within public utility easement(s).

5. Per Section 4.15(3) provide an updated Articles of Incorporation for the property owners association, a declaration of CC&R's and bylaws to include provisions for the maintenance of common areas.

Vice-Chair Blair asked if there would be enough parking. Mr. Ruggles stated that there are currently 220 parking spaces which is sufficient for the proposed use.

Agent for Mohave Engineering and applicant Jaimini Upadhyaya addressed the Commission stating they have no objections to the conditions recommended by staff except for the condition requiring driveways and ramps being revised to meet current ADA standards. Mr. Upadhyaya stated that the existing structure was in compliance and built according to plans approved by the City of Kingman, and the last thing the developer needed was more costs accrued regarding this building.

Vice-Chair Blair acknowledged that ADA is a state government, not a local government matter, and the requirements are continually being upgraded and modified, and must meet current standards.

Vice-Chair Blair made a MOTION to RECOMMEND APPROVAL of the preliminary subdivision plat for Airway Plaza Tract 1984 with the conditions one through five as recommended by staff. Commissioner Kress SECONDED the MOTION, and the MOTION CARRIED with a vote of (6-1) with Commissioner Kirkham casting the nay vote.

B. MAJOR GENERAL PLAN AMENDMENT CASE GP15-001: A city-initiated request to amend the Projected Land Use Map of the City of Kingman General Plan 2030. The case is also referred to as the Kingman Crossing Major General Plan Amendment. The City of Kingman is seeking to amend its Projected Land Use Map by changing the land use designation of approximately 151-acres of a 168.42-acre city-owned parcel from "Parks/Open Space" to "Regional Commercial". The property is located south of Interstate-40, north of the Airfield Avenue alignment, east of N. Sage Street, and west of the Cherokee Street alignment.

The Kingman General Plan designated the 168.42-acres of city-owned land as "Parks/Open Space" largely because the western 17.1-acres include a retention pond for drainage and the area currently has limited accessibility. Commercial development is planned for the area directly north of Interstate-40 in Section 9, and the Kingman Area Transportation Study adopted in 2011 includes a planned traffic interchange, known as Kingman Crossing, on I-40 in the mid-longitudinal section of Section 9. Due to this future plan, the City is seeking to have the eastern 151-acres of its property on the south side of Interstate-40 designated as "Regional Commercial".

The Planning and Zoning Commission will hold two public hearings on this proposed amendment. The first public hearing will be held on Tuesday, April 14, 2015 at 6:00 p.m. in the Kingman City Council Chambers located at 310 N. Fourth Street, Kingman, Arizona. The second public hearing will be held on Tuesday, April 28, 2015 at 6:00 p.m., in the

Mohave County Board of Supervisors Room, 700 West Beale Street, Kingman, Arizona.

Gary Jeppson addressed the Commission stating that the City Council may only consider a major plan amendment in one month per year, and our Council has chosen May. Mr. Jeppson stated that the Planning and Zoning Commission must hold at least two public hearings in two different places before the City Council can consider the amendment. Mr. Jeppson went on to state that the major general plan amendment request entails the designation of 151.32 acres of the 168.42 acres owned by the City of Kingman from "Public Open/Parks" to "Regional Commercial" and is located south of Interstate-40, east of the Sage Street alignment, west of the Cherokee Street alignment and north of the Airfield Avenue alignment. The proposal is to keep the west 17.1 acres as "Public Open/Parks" with the retention pond.

Mr. Jeppson went on to state that the Land Use Map is the way the City would desire to have land develop, rezoning actions are to conform with the projected Land Use Map of the General Plan. If the General Plan amendment is approved, the zoning classification will remain as rural residential until an application is processed to rezone the property.

Mr. Jeppson stated that Buxton did a retail leakage report in 2011 for the City, which indicated that Kingman is losing 50% of its electronic sales, 30% of health/personal care sales, 80% of clothing/accessory sales and 30% of the sporting goods/hobby, book and music sales.

Mr. Jeppson reported that the interchange design is currently at a 35% design stage, but only allows traffic flow to the north, not to the south and the subject property. A change of access report would have to be commissioned and approved before there could be access from I-40 to the south.

With the potential for the access to I-40 and the availability of large tracts of land, the designation of this property as Regional Commercial will provide the opportunity to develop "outstanding economic opportunities and numerous employment options" as stated in the Land Use Goal. This proposal helps to fulfill Objective 3 of the Land Use Element Goals and Objectives which states; "Encourage compatible mix of land uses, which allows accessibility to goods and services without extensive travel."

Mr. Jeppson went on to state that the approval of this major plan amendment will allow the City to zone the property to a commercial zoning district. Although commercial zoning would implement this General Plan Amendment, such zoning should specify that commercial development cannot take place until construction on the interchange begins.

Chair Mossberg opened the public hearing.

Kingman resident Harley Pettit addressed the Commission stating he feels it is a mistake to make changes to the General Plan 2030. Mr. Pettit stated that there is no urgency and

voters approved the plan as presented, and any changes should be made by the public. Mr. Pettit went on to state that Kingman Crossing was not on any of the Arizona Department of Transportation schedules.

Kingman resident George Cook addressed the Commission stating that he had selected his property because there was an empty field of 160-acres zoned for open space behind him. Mr. Cook stated that the taxpayers have not had to spend money to maintain the 160-acres, and if there is a need for more police and firemen on the east side of town, it would be less expensive to construct new substations than hire new personnel. Mr. Cook stated the four top priorities should be to save water, repave Eastern and improve drainage, improve traffic on Stockton Hill Road and promote development on already zoned commercial property such as Bank Street, and put this amendment of the November 8, 2016 ballot.

Kingman resident Lisa Bruno addressed the Commission stating she is not in favor of the amendment to the General Plan as there are too many unanswered questions. Ms. Bruno stated the last time this proposal went to the City Council it resulted in a referendum and was voted down, and what has changed since the last time? Ms. Bruno stated the City voted on the General Plan just a few months ago, and failed to include Kingman Crossing. She feels they are trying to circumvent the voters. Ms. Bruno asked who was going to pay for the infrastructure at Kingman Crossing, who was the developer who was interested in the property, which street to the south would be the connection to Kingman Crossing and can our economy support the additional commercial development proposed at Kingman Crossing. Ms. Bruno stated that the City should be treated like any developer and be required to answer these questions before moving forward.

Kingman resident Brian Zack addressed the Commission stating that he has seen the City miss opportunities to grow and flourish, and commends the City manager for his vision to put Kingman on the map. Mr. Zack stated that commercial development needs to grow in other areas, as Stockton Hill Road is already congested.

Kingman resident Doug Dickmeyer addressed the Commission stating that in 2007 61% of the voters voted to keep this area as open space, and the proposed changes were not included in the General Plan 2030. Mr. Dickmeyer stated that this was orchestrated to circumvent the voters, and should be placed on the ballot for the voters to decide.

Kingman resident Marvin Robertson addressed the Commission stating that when the Commission was discussing the General Plan 2020, Kingman Crossing was never mentioned, and now the same thing has happened again with the General Plan 2030, he feels the voters should be allowed to vote on this major amendment change. Mr. Robertson stated that no one knows what businesses are proposed to be at Kingman Crossing, so each person imagines what they want it to be. He suggested that the City should take a step back and gather more information.

Kingman resident Brian Zimmerman addressed the Commission stating that the drainage and potential for flooding should be addressed regarding the subject property, as well as access, since ADOT does not have plans to fund the interchange.

Kingman resident and business owner Bob Bass addressed the Commission stating that unless residents want to pay a property tax this is an opportunity for growth to generate tax revenue to fund infrastructure and emergency services. Mr. Bass went on to state that there are developers who would be interested in the subject property and would fund the project so residents did not have to.

Kingman resident Barry Pope addressed the Commission stating he was in favor of seeing the land use designation change, and Kingman Crossing developed.

Kingman resident Travis Lingenfelter addressed the Commission stating the hospital has difficulty getting physicians and their families to relocate to Kingman because of the lack of desirable restaurants and shopping, the Mohave Community College has difficulty recruiting professors, and the Industrial Park with employing a management team. Mr. Lingenfelter stated that there are still questions to be answered, but Kingman Crossing could be a great economic opportunity for Kingman with I-11 coming through, to provide needed revenue for City services.

Kingman resident Mike Bihuniak addressed the Commission stating that he is surprised so many residents are willing to throw away the vote that has just been put in November 2014. Mr. Bihuniak stated that there is no reason or urgency for the proposed Kingman Crossing and he feels the voters have been circumvented.

Chair Mossberg closed the public hearing and thanked everyone for coming out and being heard.

COMMISSIONERS COMMENTS:

Vice-Chair Blair made a MOTION to ADJOURN. The MOTION was SECONDED by Commissioner Kirkham, and CARRIED UNANIMOUSLY (7-0). Chair Mossberg declared the meeting adjourned at 7:04:59 P.M.

ADJOURNMENT [7:04:59 PM](#)

ATTEST:

APPROVED:

Sandi Fellows
Recording Secretary

Gary Jeppson
Development Services Director

STATE OF ARIZONA)
COUNTY OF MOHAVE)ss:
CITY OF KINGMAN)

CERTIFICATE OF PLANNING AND ZONING COMMISSION MINUTES:

I, Sandi Fellows, Planning and Zoning Administrative Assistant and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the Planning and Zoning Commission of the City of Kingman held on April 14, 2015.

Dated June 9th, 2015

Sandi Fellows Administrative Assistant and Recording Secretary for the City of Kingman